

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

LANA RANDOLPH,

Plaintiff(s)

vs.

FORJUS, INC., et al,

Defendant(s)

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Case Number: 1:03cv618-SJD

District Judge Susan J. Dlott

ORDER

The Court has reviewed the Report and Recommendations of United States Magistrate Judge Timothy S. Hogan filed on July 11, 2005(Doc. 19), to whom this case was referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) expired July 28, 2005, hereby ADOPTS said Report and Recommendations.

IT IS ORDERED that:

1. The plaintiff is awarded \$17,300.00 (\$100 X 173 days) for each of defendants' two violations under 29 U.S.C. § 1132 (c)(1)(B), which totals \$34,600.00.
2. The plaintiff is awarded prejudgment interest at the federal statutory rate set forth in 28 U.S.C. § 1961(a). Such rate should be applied to \$3,508.98 which represents 80% (the percentage of time plaintiff was vested at the termination of employment) of \$4,386.22, the provable profit sharing contributions made by defendants.
3. The Court awards plaintiff attorneys fees in the amount of \$5,148.12.
4. The plaintiff shall prepare an order for the Court's approval to be issued to defendants to produce the Plan Documents to clarify plaintiff's rights under the terms of

the respective plans. 29 U.S.C. § 1132(a)(1)(B).

5. The Court awards post-judgment interest at the federal statutory rate set forth in 28 U.S.C. § 1961.

IT IS SO ORDERED.

____s/Susan J. Dlott____
Susan J. Dlott
United States District Judge